



# City of Manitowoc

900 Quay Street  
Manitowoc, WI 54220  
www.manitowoc.org

## Meeting Agenda Common Council

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Monday, March 3, 2014

7:00 PM

Council Chambers

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Pursuant to Section 19.84(2) and (3) of the Wisconsin Statutes, notice is hereby given to the public, to the Herald-Times-Reporter, the official newspaper of Manitowoc, and to those news media who have filed a written request for this notice that a meeting of the above-referenced will be held at the date, time and location listed above.

The above governmental body will meet to discuss and possibly take action on the agenda items set forth below.

### A. CALL TO ORDER

### B. ROLL CALL

*Dave Soeldner, Jim Brey, Al Schema, Mike Howe, Chris Able,  
Jason Sladky, Scott McMeans, Eric Sitkiewitz, Tyler Martell, and Jill Hennessey*

### C. PLEDGE OF ALLEGIANCE

### D. INVOCATION

*Acting Council President Jason Sladky*

### E. PRESENTATIONS

- [14-094](#) Update on Economic Development Corporation by Connie Loden, Executive Director.
- [14-095](#) Update on progress made with the City's 2011 EPA Community-Wide Assessment Grant, and 2013 EPA Revolving Loan Fund grant program.
- [14-128](#) Presentation by Library Director Cherilyn Stewart on Adult Literacy Program.

### F. PUBLIC HEARINGS

### G. PUBLIC INPUT

*Members of the public will be permitted to speak at the first or second scheduled Common Council meeting of each month on any matter of public interest. The comments from each speaker shall be limited to five minutes in length unless extended by action of the Common Council.*

## H. STANDING COMMITTEE REPORTS

1. Committee of the Whole (Council President Jill Hennessey)
2. Finance (Chairman Scott McMeans)
3. Licensing, Permits and Inspections (Chair Jim Brey)
4. Parks and Recreation (Chair Jason Sladky)
5. Personnel (Chair Chris Able)
6. Public Infrastructure (Chair Dave Soeldner)
7. Public Safety (Chair Eric Sitkiewitz)

## I. APPOINTMENTS AND BUSINESS PRESENTED BY THE MAYOR

[14-186](#) Appointment of Nancy Boeck to the Crime Prevention Committee.

**Attachments:** [CC 03-17-2014 Crime Prevention Committee Appointment](#)  
[CC 03-17-2014 Boeck Crime Prevention Committee Application](#)

[14-187](#) Appointment of Robert Maloney to the Crime Prevention Committee.

**Attachments:** [CC 03-17-2014 Crime Prevention Committee Appointment](#)  
[CC 03-17-2014 Maloney Crime Prevention Committee Application](#)

[14-188](#) Appointment of Chrisma Hochkammer to the Crime Prevention Committee.

**Attachments:** [CC 03-17-2014 Crime Prevention Committee Appointment](#)  
[CC 03-17-2014 Hochkammer Crime Prevention Committee Application](#)

[14-192](#) Reappointment of David Gratz to the Library Board.

**Attachments:** [CC 03-17-2014 Library Board Reappointment](#)

[14-193](#) Reappointment of Maureen Stokes to the Library Board.

**Attachments:** [CC 03-17-2014 Library Board Reappointment](#)

## J. RECESS

During the recess of the Common Council the Mayor will discuss all matters concerning the operation of the City of Manitowoc. Prior to going into recess, the Mayor publicly announces that during the recess the standing committees of the Common Council, as well as the Committee of the Whole, will meet in the Council Chambers to discuss and act upon some of the matters which have been discussed or referred at this Common Council Meeting.

CLOSED SESSION: None

## K. CONSENT AGENDA

*These items will be approved by one motion unless any member of the Council wishes to remove an item for discussion.*

### 1. Removal of Consent Agenda Items

*Any Common Council Member may request removal of any item from the consent agenda, and such item shall be removed without debate or vote. Any item or part thereof removed from the consent agenda shall be separately considered.*

### 2. Miscellaneous

[14-087](#) Minutes of Municipal Tree Commission of 2/12/13 & 4/26/13; Zoological Board 12/11/13, recommending placing on file.

**Attachments:** [14-087.pdf](#)

[14-096](#) Minutes of the regular Common Council meeting of February 3, 2014, recommending approval of minutes and placing on file.

**Attachments:** [14-096.pdf](#)

[14-147](#) Resignation of Emilee Wagner from Crime Prevention Committee effective immediately.

**Attachments:** [14-147.pdf](#)

[14-148](#) Resignation of Pam Campbell from Crime Prevention Committee effective immediately.

**Attachments:** [14-148.pdf](#)

### 3. Committee of the Whole

[14-089](#) General City Claims in the amount of \$6,987,753.89 enumerated on list thereof, recommending that the claims be allowed and ordered paid and Mayor, Clerk and Finance Director/Treasurer are instructed to issue the necessary order.

**Attachments:** [14-089.pdf](#)

[14-198](#) General City Claims in the amount of \$484,650.07 enumerated on list thereof, recommending that the claims be allowed and ordered paid and Mayor, Clerk and Finance Director/Treasurer are instructed to issue the necessary order.

**Attachments:** [14-198.pdf](#)

#### **4. Finance Committee**

[14-082](#) Report from Interim City Attorney Kathleen McDaniel with original contract entered into with Weslow Water Systems, Inc. for the installation of a replacement potable well and associated pumping system at 3518 Hecker Rd., recommending acceptance of report and placing contract on file.

**Attachments:** [14-082.pdf](#)

#### **5. Licensing, Permits and Inspections Committee**

[14-092](#) Communication from General Manager Nilaksh Kothari highlighting the 2013 activities of Great Lakes Utilities with Annual Report of Great Lakes Utilities for the year ending December 31, 2012, recommending acceptance and place on file.

**Attachments:** [14-092.pdf](#)

#### **6. Parks and Recreation Committee**

#### **7. Personnel Committee**

[14-021](#) Resolution establishing Manitowoc Interim Pay Policy effective upon approval by the Common Council to establish guidelines in order to consistently compensate lessor paid employees assigned to temporary interim assignments, recommending placing on file.

**Attachments:** [14-021.pdf](#)

#### **8. Public Infrastructure Committee**

[14-079](#) Report of Manitowoc County Recycling Center of 2013 breakdown of recyclable materials, recommending acceptance and place on file.

**Attachments:** [14-079.pdf](#)

[14-080](#) Report of Director of Public Infrastructure Dan Koski of Port of Manitowoc Tonnage Report for year ending December 31, 2013, recommending acceptance and place on file.

**Attachments:** [14-080.pdf](#)

[14-178](#) Revised Report of Board of Public Works of February 26, 2014, recommending 4th and final payment to Lake Shore Cleaners, Inc. in the amount of \$19,347.85 for So. 10th St. Pond Landscaping (previously paid on December 2, 2011), recommending acceptance and place on file.

**Attachments:** [14-178.pdf](#)

[14-179](#) Revised Report of Board of Public Works of February 26, 2014, recommending 7th and final payment to Strand Associates, Inc. in the amount of \$4,950.33 for WWTF Biogas Burner Replacement Project (previously paid with check number 46806), recommending acceptance and place on file.

**Attachments:** [14-179.pdf](#)

[14-189](#) Report of Board of Public Works of February 26, 2014, recommending 10th and final payment to Strand Associates, Inc. in the amount of \$3,419.13 for 2013 Collection System I/I, recommending payment.

**Attachments:** [14-189.pdf](#)

## 9. Public Safety Committee

### 10. Approval of the following licenses.(Subject to department endorsements and payment of license fees).

[14-137](#) Operator's License Applications. See attached list of operators.

**Attachments:** [14-137.pdf](#)

[14-141](#) Class "B" Retail Fermented Malt Beverage license application #27 of Khushi Corp.; Gina Horkman, Agent; 1807 Washington St.

[14-142](#) Class "B" Retail Fermented Malt Beverage license application #28 of Khushi Corp.; Gina Horkman, Agent; 1710 S. 10th St.

## L. NON-CONSENT AGENDA ITEMS INCLUDING ITEMS REFERRED AT THIS MEETING AND ITEMS PREVIOUSLY REFERRED WHICH MAY BE CONSIDERED AT THIS COMMON COUNCIL MEETING

### 1. Committee of the Whole

[14-225](#) Notice of Retirement of City Planner David Less.

**Attachments:** [14-225.pdf](#)

### 2. Finance Committee

- [12-401](#) Summons and Complaint BMO Harris Bank vs. Christine C. Spencer and City, Case No. 12 CV 0395.
- [12-630](#) Notice of Claim of October 17, 2012, from Alpert & Fellows in behalf of Marcella B. Krall, Claim File No. 12-1087.
- [12-679](#) Notice of Claim of November 29, 2012 of Wesco Electric relative to payment bond for public project, Intermodal Transfer Station, Claim No. 12-1089.
- [13-592](#) Summons and Complaint Nationstar Mortgage LLC vs. Matthew M. Kouba, TCF National Bank and City of Manitowoc, Case No. 13 CV 526.
- [13-601](#) Summons and Complaint Wisconsin Housing and Economic Development Authority vs. Kim Rasmussen and John Doe, City of Manitowoc and Community First Credit Union, Case No. 13 CV 528.
- [14-031](#) Claim for excessive assessment from SCP 2006-C23-114 LLC #854/CVS Pharmacy on parcel number 520-035-020.
- Attachments:** [14-031.pdf](#)
- [14-070](#) Agreement for management of Farmers' Market with Mainly Manitowoc of the day-to-day operations of the Market for the term ending January 31, 2016.
- Attachments:** [14-070.pdf](#)
- [14-071](#) Claim of Holy Family Memorial, Inc. for refund of 2013 real property taxes and personal property taxes for various properties.
- Attachments:** [14-071.pdf](#)
- [14-074](#) Agreement for management services for the 2014 Farmers' Market.
- Attachments:** [14-074.pdf](#)
- [14-075](#) Proposal from Sherrie Richards and Janet Zunker for Farmers' Market to be operated and administered in 2015 and beyond by the Friends of the Manitowoc Farmers' Market, or some other non-for-profit whose mission will be to sustain and grow a self-sufficient Market.
- Attachments:** [14-075.pdf](#)
- [14-133](#) Purchase Granicus VoteCast for iLegislate
- Attachments:** [Manitowoc and Granicus Voting Partnership March 2014](#)
- [14-135](#) Resolution awarding the sale of \$4,030,000 General Obligation Promissory Notes, was referred to Finance Committee.
- Attachments:** [14-135-1.pdf](#)  
[baird rept.pdf](#)

- [14-136](#) Scope of Engagement relative to proposed issuance of approximately \$4,030,000 City of Manitowoc General Obligation Promissory Notes.
- Attachments:** [14-136.pdf](#)
- [14-181](#) Report of Deputy City Planner Paul Braun relative to AECOM's General Conditions of Service Agreement (attached) related to the sheet wall and river walk study along the Manitowoc River.
- Attachments:** [14-181.pdf](#)
- [14-231](#) Agreement with Pelion Benefits, Inc. relative to 3121 FICA Alternative Plan and Trust Administrative Services Agreement and Medical Expense Reimbursement Plan and Prime Trust Administrative Service Agreement.
- Attachments:** [14-231.pdf](#)  
[14-231 medical.pdf](#)  
[14-231 fica.pdf](#)
- [14-237](#) Agreement with Precision Retirement Group, Inc. for Medical Expense Reimbursement Plan (accrued sick leave conversion plan).
- Attachments:** [14-237.pdf](#)
- [14-247](#) Agreement with Precision Retirement Group, Inc. to implement a FICA Alternative Retirement Plan.
- Attachments:** [14-247.pdf](#)

### 3. Licensing, Permits and Inspections Committee

- [14-062](#) Quit Claim Deed from David W. Maltby for .18 acres of land for S. 26th Street purposes.
- Attachments:** [14-062.pdf](#)
- [14-076](#) Report of City Planner David Less providing an informational packet on 2014 Farmers' Market.
- Attachments:** [14-076.pdf](#)
- [14-170](#) Communication from Backus Electric, Inc. conveying their opinion that the City should have a full time electrical inspector every day.
- Attachments:** [14-170.pdf](#)
- [14-208](#) Request from Red Arrow Products Company LLC for Change in Zone from B-3 General Business District to C-1 Commercial District for property at 200 E. Waldo Blvd.
- Attachments:** [14-208.pdf](#)

#### 4. Parks and Recreation Committee

[14-055](#) Communication from Friends of the Manitowoc Family Aquatic Center Board with proposal to add an 18 hole miniature golf course to be part of the aquatic center.

**Attachments:** [14-055.pdf](#)  
[Copy of Mini Golf Annual expenses](#)

[14-057](#) Special Events Request from Liz Becker, Carol Rose Wester Memorial Walk/Run, requesting to hold a walk/run event on Saturday, August 9, 2014, starting and ending at Red Arrow Park, as detailed therein. (Copy to Public Infrastructure Committee).

**Attachments:** [14-057.pdf](#)

[14-072](#) Special Events Request from Kenny's Athletic Klub to hold annual slow-pitch tournament beginning on July 25, 2014, at Citizen Park.

**Attachments:** [14-072.pdf](#)

[14-091](#) Memo from Director of Public Infrastructure Dan Koski relative to Parks Worker I being elevated to Parks Worker II and replacement of Parks Worker I.

**Attachments:** [14-091.pdf](#)

[14-176](#) Proposal from the Manitowoc Public School District for 2014 ball diamond maintenance

**Attachments:** [03-03-14 Baseball Softball Rec Proposal 2014](#)

[14-180](#) Special Event Request from James Moffatt to hold the Memorial Benefit Fundraiser for Victor Gadzinski at Silver Creek Park on September 13, 2014 and to waive the fees

**Attachments:** [Vic Gadzinski Memorial Benefit](#)

[14-194](#) Special Events Request from Pete Honzik to hold Acoustic Fest event in Washington Park on July 19, 2014, including use of barricades, street closures, electrical service and serving alcohol in the park, as well as Waiver of Fees request. (Copies to Public Infrastructure and Licensing, Permits & Inspections Committees.)

**Attachments:** [14-194.pdf](#)

[14-197](#) Special Events Request from Paul Roekle, Manitowoc Sunrise Rotary, to hold Lobsterfest in Washington Park on Saturday, September 6, 2014 and to waive the fees and serve alcoholic beverages in park. (Copy to Licensing, Permits & Inspections Committee).

**Attachments:** [Lobsterfest 09-06-14](#)



[14-253](#) Amendment to the Lease Agreement with the Manitowoc Area Visitor and Convention Bureau to allow the MAVCB to construct and maintain a new electronic sign.

**Attachments:** [14-253.pdf](#)

## 5. Personnel Committee

[14-083](#) Resolution to set hourly rate of \$40.38 for Interim City Attorney Kathleen McDaniel.

**Attachments:** [14-083.pdf](#)

[14-084](#) Resolution to set hourly rate of \$39.47 for Interim Fire Chief Gregg Kadow.

**Attachments:** [14-084.pdf](#)

[14-085](#) Resolution to approve revised job descriptions within the Wastewater Treatment Facility.

**Attachments:** [14-085.pdf](#)

[14-086](#) Resolution to approve revised job descriptions within the Department of Public Infrastructure.

**Attachments:** [14-086.pdf](#)

[14-088](#) Memo from Human Resources Generalist Jeri Johnson attaching contracts relative to our Medical and Life Renewals for 2014.

**Attachments:** [14-088.pdf](#)

[14-093](#) Legal Services Agreement with Mozinski and Cashman LLP.

**Attachments:** [14-093.pdf](#)

## 6. Public Infrastructure Committee

[13-120](#) Ordinance to amend Section 7.210 of the Manitowoc Municipal Code regulating snow removal and deposits.

**Attachments:** [13-120.pdf](#)

[13-214](#) Request from SMI as representatives of Manitowoc Cinema LLC for approval of a conditional use permit and site plan for a commercial development in an area located south of the south end of So. 44th Street, east of I-43, north of Viebahn St. and west of a lowland area in the vicinity.

[13-606](#) Ordinance amending Sections 10.290 and 10.730 of the Municipal Code to designate a portion of Park Street as a one-way street and to add angle parking.

**Attachments:** [13-606.pdf](#)

[13-639](#) Policy of Maritime Metro Transit Passenger Behavior. (Tabled: 12/2/13)

**Attachments:** [13-639.pdf](#)

[13-658](#) Ordinance to amend Section 10.410 (1) to remove South 16th Street from Washington Street to 650 feet north of Wollmer Street from the winter parking ban.

**Attachments:** [13-658.pdf](#)

[14-073](#) Request from Chuck and Kathy Behnke, 5126 Sunset Road, for a temporary access agreement for the purpose of planting a vegetable/herb garden in the un-improved right-of-way of Remiker Road.

**Attachments:** [14-073.pdf](#)

[14-078](#) Special Events Request from Holy Family Memorial to utilize sidewalks and streets along their marathon route as well as Mariner's Trail on June 22, 2014 as well as closure of east lanes of Lakeside Blvd.

**Attachments:** [14-078.pdf](#)

[14-081](#) Revised Policy of Maritime Metro Transit Passenger Behavior

**Attachments:** [14-081.pdf](#)

[14-129](#) Special Events Request from Amvets Post 99 to use Conroe Street for the 2014 Gravity Hill Derby on June 14, 2014.

**Attachments:** [14-129.pdf](#)

[14-134](#) Special Events Request from Lakeshore Humane Society for 1st Annual Run for Shelter 5k on May 3, 2014, utilizing streets, sidewalks and Lincoln Park, with route attached. (Copy to Parks and Recreation Committee).

**Attachments:** [14-134.pdf](#)

[14-183](#) Report of Director of Public Infrastructure Dan Koski outlining the accomplishments for 2013 relative to DNR's MS4 General Stormwater Discharge Permit No. WI-S050075-1.

**Attachments:** [2013 Annual Report DNR MS4 General Permit \(14-183\).pdf](#)

[14-216](#) Report of the Board of Public Works of February 26, 2014, regarding bids received for 2014 Televising Sewers, Project WU-14-5.

**Attachments:** [14-216.pdf](#)  
[bid tab 216.pdf](#)

[14-223](#) Report of Board of Public Works of February 26, 2014, regarding quotes for three 2014 Ford Utility AWD Police Interceptor, QE-14-2.

**Attachments:** [14-223.pdf](#)  
[bid tab 223.pdf](#)

## 7. Public Safety Committee

[14-039](#) Request from Lifequest Billing Office recommending adjustment to account 182-13-3006 in the amount of \$849.50.

**Attachments:** [14-039.pdf](#)

[14-041](#) Request from Manitowoc County Planning and Zoning Department relative to review of Hazard Mitigation Materials to update the Hazard Mitigation Plan for Manitowoc County and the municipalities.

**Attachments:** [14-041.pdf](#)

[14-077](#) Contract with Bartolotta Fireworks Company, Inc. for March 14, 2014 fireworks display in conjunction with St. Patrick's Day parade.

**Attachments:** [14-077.pdf](#)

[14-090](#) Communication from Jodi Teesch relative to concerns at uncontrolled intersection of 19th and Columbus Streets.

**Attachments:** [14-090.pdf](#)

## 8. Licenses

[14-138](#) Two Year Operator's License application #320 of Darian R. Kaderabek, 3311 Dale St.

[14-139](#) Two Year Operator's license application #326 of Angela M. Seefeldt, 1622 S. 13th Street

[14-140](#) Two Year Operator's license application #318 of Dana Estrada, 2704 Meadow Lane

## M. OTHER BUSINESS

## N. ADJOURN

*Next Scheduled Common Council Meeting: Monday, March 17, 2014 at 7:00pm in the Common Council Chambers at City Hall.*

If you need accommodations for this meeting, please notify the City Clerk's office at least 48 hours in advance of the meeting (or as soon as possible after the meeting is posted, if posted less than 48 hours prior to the meeting time) at 686-6950. For additional assistance, individuals with hearing or speech disabilities can call 711 and be connected to a telephone relay system.

**Jennifer Hudon**  
City Clerk